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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|------------------------|---------------------|------------------|
| 10/507,529 | 03/10/2005 | Reinhold Freudenschuss | 5367-126PUS | 1371 |

27799 7590 09/27/2007
COHEN, PONTANI, LIEBERMAN & PAVANE
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SUITE 1210
NEW YORK, NY 10176

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| EXAMINER |
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ABEDIN, SHANTO

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| ART UNIT | PAPER NUMBER |
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2136

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| MAIL DATE | DELIVERY MODE |
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09/27/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | | |
|------------------------------|------------------------|--|-------------------------|--|
| Office Action Summary | Application No. | | Applicant(s) | |
| | 10/507,529 | | FREUDENSCHUSS, REINHOLD | |
| | Examiner | | Art Unit | |
| | Shanto M Z Abedin | | 2136 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3).

Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :06/11/2007,6/27/2005, 3/10/2005, 09/13/2004.

DETAILED ACTION

1. This office action is in response to communications filed on 09/13/2004.
2. Claims 6-13 have been presented for examination.
3. Claims 6-13 have been rejected.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 6-13 are rejected under 35 USC 102 (e) as being anticipated by Morgan et al (US 6968459 B1).

Regarding claim 6, Morgan et al teaches a method for providing access to a computer by an access protection system, comprising: connecting to the computer a transportable storage medium which electronically stores an individual identifier (Col 3, line 5 to Col 4, line 67; Col 5, line 47 to Col 6, line 62; Claim 39,42; connecting removable storage device/ access card; device specific security information/ identifier/ serial number) ; and enabling access only if the computer recognizes said individual identifier (Col 1, line 35 to Col 2, line 4; Col 3, line 56 to Col 7, line 39; Claim 1,6, 39,42; permitting access to computer based on storage

device specific security information/ identifier/ serial number, or the key generated from storage device specific information).

Regarding claim 7, Morgan et al teaches the access protection system wherein the computer comprises a CPU, a monitor, a keyboard and at least one peripheral device, and a USB (Universal Serial Bus) interface connects the transportable storage medium to one of the CPU, the monitor, the keyboard and the at least one peripheral device (Col 2, line 59 to Col 3, line 50) .

Regarding claim 8, Morgan et al teaches the access protection wherein said individual identifier is the serial number of the transportable storage medium (Col 5, line 46 to Col 6, line 35; Claim 1,6, 39,42; storage device specific/ manufacturing serial number).

Regarding claim 9, Morgan et al teaches the access protection system wherein said individual identifier is stored in the computer (Col 5, line 46 to Col 6, line 35; Claim 1,6, 39,42).

Regarding claim 10, Morgan et al teaches access protection system wherein said individual identifier enables access to all applications in the computer (Col 1, line 35 to Col 2, line 4; Col 3, line 56 to Col 7, line 39; Claim 1,6, 39,42; permitting full/ restricted access to computer).

Regarding claim 11, Morgan et al teaches access protection system wherein said individual identifier enables access to at least one pre-designated application in the computer (Col 1, line 35 to Col 2, line 4; Col 3, line 56 to Col 7, line 39; Claim 1,6, 39,42; permitting full/ restricted access to computer).

Regarding claim 12, Morgan et al teaches the access protection system wherein the transportable storage medium is a Flash memory or a storage medium which is technically similar (Col 3, line 3-16; memory/ storage medium).

Regarding claim 13, Morgan et al teaches a transportable storage medium with an individual identifier, wherein the transportable storage medium is used as an individual access key for a computer (Col 5, line 47 to Col 6, line 60; storage device as access card).

Conclusion

5. A shortened statutory period for response to this action is set to expire in 3 (Three) months and 0 (Zero) days from the mailing date of this letter. Failure to respond within the period for response will result in ABANDONMENT of the application (see 35 U.S.C 133, M.P.E.P 710.02(b)).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shanto M Z Abedin whose telephone number is 571-272-3551. The examiner can normally be reached on M-F from 9:00 AM to 5:30 PM. If attempts

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to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Moazzami Nasser, can be reached on 571-272-4195. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shanto M Z Abedin

Examiner, AU 2136

NASSER MOAZZAMI
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100


9,24,07